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Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

South Africa:* draft resolution

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

The Economic and Social Council,

Recalling General Assembly resolutions 69/241 of 19 December 2014 and 69/92 of 5 December 2014,

Recalling also its resolution 2014/26 of 16 July 2014,

Guided by the principles of the Charter of the United Nations affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 252 (1968) of 21 May 1968, 338 (1973) of 22 October 1973, 465 (1980) of 1 March 1980 and 497(1981) of 17 December 1981,

Recalling the resolutions of the tenth emergency special session of the General Assembly, including ES-10/13 of 21 October 2003, ES-10/14 of 8 December 2003, ES-10/15 of 20 July 2004 and/ ES-10/17 of 15 December 2006,

Taking note of the report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,[1]

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] A/70/82-E/2015/13.

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Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] and the Convention on the Rights of the Child,[4] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Taking note, in this regard, of the accession by Palestine to several human rights treaties and the core humanitarian law conventions as well as other international treaties,

Taking note of General Assembly resolution 67/19 of 29 November 2012,

Stressing the urgency of achieving, without delay, an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008, the principle of land for peace, the Arab Peace Initiative[5] and the Quartet road map,[6] as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, and expressing concern in that regard about the exploitation of natural resources by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, particularly as a result of settlement activities, which are illegal under international law and which, deplorably, continued during the reporting period,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and expressing grave concern about the consequent deterioration of economic and living conditions,

Expressing alarm, in this regard, about the extremely high levels of unemployment in the Gaza Strip in particular, which, according to World Bank estimates, is 43 per cent, with youth unemployment reaching 60 per cent, and is exacerbated by the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and about the continuing negative repercussions of the military operations in the Gaza Strip on economic and social infrastructure and living conditions,

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[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] See General Assembly resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] A/56/1026-S/2002/932, annex II, resolution 14/221.

[6] S/2003/529, annex.

Commending the efforts of the Palestinian Government, despite the many constraints, to improve the economic and social situation in the Occupied Palestinian Territory, especially in the areas of governance, the rule of law and human rights, livelihoods and productive sectors, education and culture, health, social protection, infrastructure and water, and welcoming in this regard the United Nations Development Assistance Framework launched on 15 August 2013, which aims at, inter alia, enhancing developmental support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

Gravely concerned about the accelerated construction of settlements and the implementation of other related measures by Israel in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, as well as in the occupied Syrian Golan, in violation of international humanitarian law and relevant United Nations resolutions,

Encouraging all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlements,

Taking note of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[7]

Expressing deep concern about the rising incidence of violence, harassment, provocation, vandalism and incitement in the Occupied Palestinian Territory, including East Jerusalem, in particular by illegal armed Israeli settlers against Palestinian civilians, including children, and their properties, including homes, historic and religious sites, and agricultural lands, and calling for accountability for the illegal actions perpetrated in this regard,

Gravely concerned by the serious repercussions on the economic and social conditions of the Palestinian people caused by Israel's construction of the wall and its associated regime inside the Occupied Palestinian Territory, including in and around East Jerusalem, and the resulting violation of their economic and social rights, including the rights to work, to health, to education, to property, to an adequate standard of living and to freedom of access and movement,

Recalling, in this regard, the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory[8] and General Assembly resolution ES-10/15, and stressing the need to comply with the obligations mentioned therein,

Expressing grave concern at the extensive destruction by Israel, the occupying Power, of properties, including the increased demolition of homes, economic institutions, historical landmarks, agricultural lands and orchards, in the Occupied Palestinian Territory, including East Jerusalem, in particular in connection with its construction of settlements and the wall and confiscation of land, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem,

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[7] A/HRC/22/63.

[8] See A/ES-10/273 and Corr.1.

Expressing grave concern also over the continuing forced displacement and dispossession of Palestinian civilians, including the Bedouin community, due to the continuing and intensifying policy of home demolitions, evictions and revocation of residency rights in and around occupied East Jerusalem, as well as measures to further isolate the city from its natural Palestinian environs, which have seriously exacerbated the already critical socioeconomic situation being faced by the Palestinian population,

Expressing grave concern further about ongoing Israeli military operations and policies of closures and severe restrictions on the movement of persons and goods, the imposition of crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socioeconomic situation of the Palestinian people, in particular the Palestine refugee population, which remains that of a humanitarian crisis,

Expressing grave concern, in particular, over the continuing crisis in the Gaza Strip as a result of the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade, stressing that the situation is unsustainable, and calling in that regard for the full implementation of Security Council resolution 1860 (2009) of 8 January 2009 with a view to ensuring the full opening of the border crossings for the sustained and regular movement of persons and goods, including humanitarian aid, commercial flows and construction materials, and emphasizing the need for security for all civilian populations,

Deploring the conflict in and around the Gaza Strip in July and August 2014 and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and the elderly, the widespread destruction of or damage to thousands of homes and vital civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites and United Nations schools and facilities, as well as the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Gravely concerned about the consequent prolonged and extensive negative impact of the military operations in July and August 2014, as well between December 2008 and January 2009 and in November 2012, on economic conditions, the provision of social services and the social, humanitarian and physical living conditions of the Palestinian civilian population, including the Palestine refugee population,

Recalling, in this regard, the relevant United Nations reports, including those of the Economic and Social Council, the Economic and Social Commission for Western Asia and the Human Rights Council,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the hampering of the reconstruction process, by Israel, the occupying Power, on the socioeconomic and humanitarian conditions of the Palestinian civilian population in the Gaza Strip, where the humanitarian crisis continues to deepen, and calling in that regard for the immediate acceleration of the reconstruction process in the Gaza Strip with the assistance of the donor countries, including the disbursement of funds pledged at the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014,

Gravely concerned at various reports of the United Nations and specialized agencies regarding the substantial aid dependency caused by prolonged border closures, inordinate rates of unemployment, widespread poverty and severe humanitarian hardships, including food insecurity and rising health-related problems, including high levels of malnutrition, among the Palestinian people, especially children, in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern at the deaths and injuries caused to civilians, including children, women and peaceful demonstrators, and emphasizing that the Palestinian civilian population must be protected in accordance with international humanitarian law,

Emphasizing the importance of the safety and well-being of all civilians, and calling for the cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction, and all firing of rockets,

Expressing deep concern that thousands of Palestinians, including many children and women, continue to be held in Israeli prisons or detention centres subject to harsh conditions, including unhygienic conditions, solitary confinement, excessive use of administrative detention, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and the denial of family visits and of due process, that impair their well-being, and expressing deep concern also about any ill-treatment and harassment of Palestinian prisoners and detainees and all reports of torture, while taking note of the agreement reached in May 2012 on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

Conscious of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including East Jerusalem, as well as the urgent need to address the humanitarian crisis facing the Palestinian people, including by ensuring the unimpeded provision of humanitarian assistance and the sustained and regular flow of persons and goods into and out of the Gaza Strip,

Recognizing the efforts by the Palestinian Government, with international support, to rebuild, reform and strengthen its damaged institutions and promote good governance, emphasizing the need to preserve the Palestinian national institutions and infrastructure, and commending in this regard the ongoing efforts to develop the institutions of an independent Palestinian State, including through the implementation of the Palestinian National Development Plan 2011-2013 on governance, economy, social development and infrastructure, and the significant achievements made, as confirmed by the positive assessments made by international institutions regarding readiness for statehood, including by the World Bank, the International Monetary Fund and the United Nations and the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians, while also expressing concern about the negative impact of the current financial crisis being faced by the Palestinian Government,

Commending, in this regard, the important work being done by the United Nations, the specialized agencies and the donor community in support of the economic and social development of the Palestinian people in line with their national development and State-building plan, as well as the vital assistance being provided in the humanitarian field,

Welcoming the formation of the new Palestinian Government of national consensus under the authority of President Mahmoud Abbas, in line with the Quartet principles, emphasizing the need for the respect and preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem, and affirming the need to support the Palestinian Government of national consensus in its assumption of full government responsibilities in all fields in both the West Bank and the Gaza Strip,

Calling upon both parties to fulfil their obligations under the road map in cooperation with the Quartet,

Aware that development and fostering healthy economic and social conditions are difficult under occupation and best promoted in circumstances of peace and stability,

1. *Calls* for the full opening of the border crossings of the Gaza Strip, in line with Security Council resolution 1860 (2009), to ensure humanitarian access as well as the sustained and regular flow of persons and goods and the lifting of all movement restrictions imposed on the Palestinian people, including those restrictions arising from ongoing Israeli military operations and the multilayered closure system, and for other urgent measures to be taken to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, which is dire in the Gaza Strip, and calls for compliance by Israel, the occupying Power, with all of its legal obligations under international humanitarian law and United Nations resolutions in that regard;

2. *Stresses* the need to preserve the territorial contiguity, unity and integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as to and from the outside world;

3. *Also stresses* the need to preserve and develop Palestinian national institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and to contribute to the promotion and protection of human rights, including economic and social rights;

4. *Demands* that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994;[9]

5. *Calls upon* Israel to restore and replace civilian properties, vital infrastructure, agricultural lands and governmental institutions that have been damaged or destroyed as a result of its military operations in the Occupied Palestinian Territory;

6. *Reiterates the call* for the full implementation of the Agreement on Movement and Access of 15 November 2005, particularly the urgent and uninterrupted reopening of all crossings into the Gaza Strip, which is crucial to ensuring the passage of foodstuffs and essential supplies, including construction materials and adequate fuel supplies, as well as to ensuring the unhindered access of the United Nations and related agencies and regular commercial flows necessary for economic recovery to and within the Occupied Palestinian Territory, and emphasizes the need for security for all civilian populations;

[9] See A/49/180-S/1994/727, annex, entitled "Agreement on the Gaza Strip and the Jericho Area", annex IV.

7. *Calls upon* all parties to respect the rules of international humanitarian law and to refrain from violence against the civilian population, in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[2]

8. *Reaffirms* the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of those resources;

9. *Calls upon* Israel, the occupying Power, to cease its destruction of homes and properties, economic institutions and agricultural lands and orchards in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan, and to prevent Israeli settlers from perpetrating such illegal activities;

10. *Also calls upon* Israel, the occupying Power, to end immediately its exploitation of natural resources, including water and mining resources, and to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely, the water, land and energy resources, and present a serious environmental hazard and health threat to the civilian populations, and also calls upon Israel, the occupying Power, to remove all obstacles that obstruct the implementation of critical environmental projects, including the sewage treatment plants in the Gaza Strip, notably the provision of the electrical power needed for the work of the northern Gaza emergency sewage treatment project, and stressing in this regard the urgency of the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

11. *Calls for* the assistance necessary for the safe removal of all unexploded ordnance in the Gaza Strip, which endangers Palestinian lives and has a negative impact on the environment and on reconstruction and development efforts, and urges support for the efforts of the Mine Action Service of the United Nations in this regard;

12. *Reaffirms* that the construction and expansion of Israeli settlements and related infrastructure in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and constitute a major obstacle to economic and social development and to the achievement of peace, and *calls* for the full cessation of all settlement and settlement-related activity, including full cessation of all measures aimed at altering the demographic composition, legal status and character of the occupied territories, including in particular in and around occupied East Jerusalem, in compliance with relevant Security Council resolutions and international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

13. *Calls* for accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, recalls in this regard Security Council resolution 904 (1994), and stresses the need for its implementation;

14. *Also calls for* urgent attention to be paid to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli prisons and for efforts between the two sides for the further release of prisoners and detainees;

15. *Reaffirms* that the ongoing construction by Israel of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is isolating East Jerusalem, fragmenting the West Bank and seriously debilitating the economic and social development of the Palestinian people, and calls in that regard for full compliance with the legal obligations mentioned in the advisory opinion of the International Court of Justice rendered on 9 July 2004[8] and in General Assembly resolution ES-10/15 and subsequent relevant resolutions;

16. *Calls upon* Israel to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and to facilitate visits of the Syrian citizens of the occupied Syrian Golan whose family members reside in their mother homeland, the Syrian Arab Republic, via the Qunaitra entrance;

17. *Emphasizes* the importance of the work of United Nations organizations and agencies in the Occupied Palestinian Territory, including East Jerusalem, and of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;

18. *Expresses appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide economic and humanitarian assistance to the Palestinian people, which has helped to ameliorate their critical economic and social conditions, and urges the continued provision of assistance commensurate with their increased socioeconomic and humanitarian needs, in cooperation with official Palestinian institutions and consistent with the Palestinian National Development Plan;

19. *Reiterates* the importance of and need for increased and renewed international efforts on the basis of relevant United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002), 1515 (2003), 1544 (2004) and 1850 (2008), and the Madrid Conference, the principle of land for peace, the Arab Peace Initiative and the Quartet road map, as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in order to pave the way for the realization of the two-State solution of Israel and Palestine living side by side in peace and security within recognized borders, based on the pre-1967 borders, and the achievement of a just, lasting and comprehensive peace settlement;

20. *Requests* the Secretary-General to submit to the General Assembly at its seventieth session, through the Economic and Social Council, a report on the implementation of the present resolution and to continue to include in the report of the United Nations Special Coordinator an update on the living conditions of the Palestinian people, in collaboration with relevant United Nations agencies;

21. *Decides* to include in the agenda of its substantive session of 2016 the item entitled "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan".